

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD VOGEL,

Plaintiff,

-against-

CAPTAIN JAMES E. GINTY, *et al.*,

Defendants.

USDC SDNY
DOCUMENT
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DATE FILED: 12/06/2021

20-CV-6349 (NSR)

ORDER

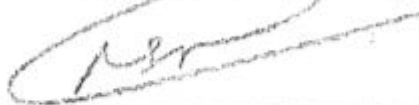
NELSON S. ROMÁN, United States District Judge:

On October 20, 2021, the Court issued an Order to Show Cause directing *pro se* Plaintiff Richard Vogel to show cause in writing on or before November 19, 2021, as to why his claims against Defendants should not be dismissed for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b). (ECF No. 45.) The Court's order was mailed to Plaintiff the next day at the Midstate Correctional Facility, P.O. Box 216, Marcy, NY 13403 address.¹ To date, the deadline expired 17 days ago, and Plaintiff has both failed to respond to the Order to Show Cause and to communicate with the Court for over a year.

Accordingly, the Court DISMISSES without prejudice the above-captioned action for want of prosecution. The Court further DENIES the motions to dismiss at ECF Nos. 30 and 38 as MOOT. The Clerk of the Court is directed to terminate the motions at ECF Nos. 30 and 38, to terminate this action, to mail a copy of this order to *pro se* Plaintiff at the Midstate Correctional Facility, P.O. Box 216, Marcy, NY 13403 address, and to show service on the docket.

Dated: December 6, 2021
White Plains, NY

SO ORDERED:



NELSON S. ROMÁN
United States District Judge

¹ As previously noted in the Order to Show Cause, the most recent records from the NYS Department of Corrections and Community Supervision suggest that *pro se* Plaintiff currently resides at Midstate Correctional Facility.